

**Village of Indian Head Park
201 Acacia Drive
Indian Head Park, IL 60525**

**MEETING MINUTES
BOARD OF TRUSTEES**

“Pursuant to 5 ILCS 120/c.06 (3) minutes of public meetings shall include, but need not be limited to a general description of all matters proposed, discussed, or decided and a record of votes taken.”

Thursday, May 10, 2012

7:30 p.m.

CALL TO ORDER – MAYOR RICHARD ANDREWS

The regular scheduled meeting of the Village of Indian Head Park Board of Trustees was held on Thursday, May 10, 2012 at the Municipal Facility, 201 Acacia Drive, and was called to order at 7:30 p.m. by Mayor Richard Andrews. Village Clerk Joseph Consolo called the roll as follows:

ROLL CALL: JOSEPH CONSOLO, VILLAGE CLERK

PRESENT (AND CONSTITUTING A QUORUM):

Mayor Richard Andrews
Trustee Debbie Anselmo
Trustee Brian T. Bailey
Trustee Anne Bermier
Trustee Carol Coleman
Trustee Norman L. Schnauffer
Trustee Matthew P. Walsh

ALSO PRESENT:

Frank Alonzo, Chief of Police/Administration
Steve Busa, Treasurer
Joseph V. Consolo, Village Clerk
Richard Ramello, Counsel, Storino, Ramello & Durkin

NOT PRESENT:

Edward Santen, Water/Public Works Superintendent

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Andrews and the Board of Trustees led the audience in reciting the Pledge of Allegiance to the Flag: *“I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all”*.

MAYOR’S REPORT

Mayor Andrews thanked the students from LaGrange Highlands Elementary School and Lyons Township High School for their participation in helping with various projects at the Heritage Center and Blackhawk Park. Mayor Andrews mentioned the Heritage Center Library will be closed this weekend for the parking lot to be sealcoated.

Mayor Andrews mentioned that there have been some delays with the Blackhawk Park project due to weather conditions. He noted that it should begin soon and the Village Engineer will monitor the project.

Mayor Andrews reported that he has received information concerning work along I-294. He noted that back in September 2011 a group of residents presented a petition to the Board concerning noise abatement in the Sacajawea Park area. At that time, he contacted tollway representatives concerning the Village’s safety and noise concerns in that area. Mayor Andrews stated that he and Frank Alonzo had met with tollway officials and engineers to see if something could be done in light of the scheduled work on I294 for 2012. Mayor Andrews stated that he was pleased to be able to report that the tollway authority has indicated that they will be enhancing security in the area near Plainfield Road and I294 with the extension of the sound abatement wall to the north and eliminating the gap as it exists now. This should also serve to reduce noise in the north area of the Village in the vicinity of Sacajawea Park. Hopefully, this work will be completed by the end of the 2012 construction season.

Chief Alonzo reported that Code Red was used for the first time today to inform residents by phone of a water main break that was going on in the Village on the south end of town. He noted that fliers were also distributed to residents in the affected area. Chief Alonzo stated he will be adding a link to the Village Website soon if residents wish to sign up for code red with a different number other than a

landline. He added once a recording is approved to be sent, notifications come from the 911 database from Southwest Central Dispatch that are already in the system. Aileen Henkel, of Algonquin, stated most of her calls are taken by a machine and sometimes automated callers are disconnected if someone does not answer the phone. Chief Alonzo stated Code Red will leave messages on machines.

Chief Alonzo stated that the Code Red System will show all numbers that are called when a notification is sent and also numbers that did not answer or if a message was left on a machine.

Chief Alonzo stated that he hopes to schedule community awareness meetings quarterly since there may not be a need to meet every month. However, if there is a need to have a meeting more frequently, those meetings will be scheduled. Chief Alonzo pointed out that crime alert updates are also provided on the Village website as events occur.

Trustee Coleman inquired if Code Red would be used to notify residents of community awareness meetings. Chief Alonzo stated that Code Red should be used for emergencies or to alert the public of a specific situation or serious crime but generally it would not be used for general notification of meetings.

Mayor Andrews stated that Commonwealth Edison has an outage alert system program that allows participants to report an outage via a text message and also receive updates on an outage in an area. He added additional information about this program is on the Village Website. Mayor Andrews mentioned that Commonwealth Edison at a recent meeting discussed the implementation of a protocol with a joint emergency operation center to handle widespread outages such as occurred last summer. He noted the Village operations are supported by emergency back-up generators during an extended power outage. However, when condominium buildings with elevators and the nursing home are without power, a more focused response to restore power to areas that are the most impacted is needed and the Village will work with Commonwealth Edison on this new program.

Pleasantview Fire Protection District has provided a report on responses from their district. In Indian Head Park for the month of April there were no fires, twenty-seven EMS calls, one hazardous situation that was a gas leak reported, a service call to assist a resident that may have needed oxygen and five malfunctioning alarm calls.

Mayor Andrews noted Lyons Township South Campus will be hosting a computer recycling drive on Saturday, May 19th from 9:00 a.m. to 1:00 p.m. Mayor Andrews mentioned that the Board, staff and all residents are invited to attend the Robert Coulter American Legion Ceremony on Memorial Day in LaGrange. A civil war group is planning to rededicate twelve grave sites with a ceremony at Lyonsville Cemetery on September 8th at 2:00 p.m. if anyone is interested in attending.

CONSENT AGENDA ITEMS

Reappointment of Noreen Costelloe to the Planning and Zoning Commission for the term ending May 13, 2013.

Approval of an Ordinance Authorizing a Contract Between The Village of Indian Head Park and the Township of Lyons for Police Patrol (Ordinance #2012-4)

Approval of an Ordinance Amending Title 2 Entitled "Administration and Personnel" of the Indian Head Park Municipal Code by Adding Chapter 2.64 Entitled "Participation at Public Meetings" (Ordinance #2012-5).

Approval of a Resolution to Authorize Retention of Certain Executive Session Minutes of the Village of Indian Head Park. (Resolution R5-12-1)

Mayor Andrews entertained a motion to approve the consent agenda. Trustee Coleman moved, seconded by Trustee Bermier, to approve the consent agenda, as presented. Carried by unanimous voice vote (6/0/0).

APPROVAL OF FINANCIAL REPORT – TREASURER STEVE BUSA

Approval of Financial Report for the month ending April 30, 2012

Treasurer Busa presented the financial report for the month ending April 30, 2012. He noted: total revenues were \$384,862.03; expenditures were \$307,666.19 and fund balances in all accounts at the end of April were \$985,963.92.

Trustee Schnaufer moved, seconded by Trustee Walsh, to approve the financial report for the month of April 2012, as presented by Treasurer Busa. Carried by unanimous roll call vote (6/0/0).

Ayes: Trustees: Anselmo, Bailey, Bermier, Coleman, Schnaufer, Walsh

Nays: None
Absent: None

Treasurer Busa reported in the month of April a substantial amount of water revenue was received by the Village.

Treasurer Busa stated that real estate tax bills from Cook County should be sent out July 1st this year and the due date will be August 1st for that installment.

He noted statute refers that taxes are due on August 1st but Cook County has not met sending the bills out on time in a number of years which has caused an undue burden on many municipalities waiting for revenue because the bills are sent late by Cook County. Trustee Coleman asked if the 55% of the tax bill collected on the first installment and 45% on the second installment will remain. Treasurer Busa stated that the legislature changed how the tax would be collected and they would have to make any further changes.

APPROVAL OF BOARD MEETING MINUTES

Minutes of the Regular Board Meeting- April 12, 2012

After review of Board meeting minutes, Trustee Bailey moved, seconded by Trustee Anselmo, to approve the April 12, 2012 Board meeting minutes, as presented. Carried by unanimous voice vote (6/0/0).

QUESTIONS AND/OR COMMENTS AGENDA ITEMS ONLY

None

AGENDA ITEMS (DISCUSSION AND A POSSIBLE VOTE MAY TAKE PLACE)

(1) Village Gaming Regulations

Mayor Andrews stated the topic of Village gaming regulations was placed on the agenda for discussion because the Village does not currently have regulations to prohibit or grant a gaming license to someone who might ask for a gaming license other than what is allowed by Illinois law for the lottery machines at various business locations in town. The State legislature passed the Video Gaming Act as a way to finance the Illinois Capital Improvement Plan.

Mayor Andrews stated that a gaming license could only be issued to an establishment that has a full service liquor license to dispense alcohol such as a restaurant. He noted that no business has asked for a gaming license so it is a good time to establish a local ordinance setting various regulations. Mayor Andrews stated that the topic is only being discussed this evening and the Village will enact regulations that are consistent with State requirements at a future meeting.

Counsel Ramello stated that the Video Gaming Act was passed which authorizes video gaming machines in any community that does not opt out or establish local regulations to permit them. He noted: (1) there are no code regulations at the local level that ban video gaming; (2) a study used by the General Assembly indicated that the money generated for the municipal share of taxes on each machine is estimated to be around \$2,000 to \$2,500 per machine; (3) five machines are permitted at each establishment that has a full service liquor license with sale of alcohol on the premises; (4) there is a potential of revenue in the amount of \$25,000 to \$37,000 per year to be generated from video gaming; (5) other communities in the area are beginning to adopt regulations to permit video gaming; (6) the Illinois Gaming Board has their own application process for these machines and their own disciplinary process and the local regulations would not have anything to do with the Gaming Board regulations; (7) the regulation is similar to requirements for an applicant who is applying for a liquor license (a license at the State level as well as a liquor license at the local level); (8) the video gaming machine is touch screen and is about the size of a computer monitor and the machine dispenses a ticket if there is a winner who collects the same as a lottery ticket; (9) it is beneficial to have local regulations in place in case there are any issues that would arise that could be addressed at the local level through a hearing process to be held before the liquor commissioner.

Trustee Walsh inquired when the law becomes effective. Counsel Ramello stated the Video Gaming Act was already passed and State regulations have been in place and they are now accepting applications for machines. Counsel Ramello stated that several operators have been approved by the State to operate the machines and those are listed on the Illinois Gaming Website. He added that as non-home rule community the Village can only charge a \$25.00 gaming license fee per machine and the other revenue the Village would receive is the portion of tax from the machine the State collects. Trustee Anselmo inquired if any communities have decided to opt out. Counsel Ramello stated there are some communities that have opted out and those are listed on the Illinois Gaming Website. He noted the Gaming Board checked some Village codes and if there was a previous ban on

poker machines when they were illegal, the Gaming Board automatically listed that community as opting out even when that community did not yet decide either way.

Trustee Coleman stated that the \$25.00 fee does not cover any review expenses or other costs the Village might incur in approving a license. Counsel Ramello stated that a significant amount of money from the tax collected would come back to the Village in revenue. He added the \$25.00 per machine fee would be collected on an annual basis by the Village.

Trustee Walsh asked what percentage of the tax collected goes to the State of Illinois per machine. Counsel Ramello stated he believes the State takes 70% of the tax and the Village would get 30%, the operator and establishment split the revenue after taxes 50%-50%, the estimated revenue projection per machine is about \$40,000 per year and the State would issue a monthly check to the Village similar to shared sales tax revenue.

Trustee Bailey asked if a liquor license is suspended would the gaming license be suspended too and if there are limits on spending on the machines. Counsel Ramello responded the gaming license would be suspended if a liquor license is suspended. Also, the bets on a machine are limited to \$2.00 and payouts are limited to \$500.00. Counsel Ramello stated that additional requirements can be added to the ordinance before the Village Board approves an ordinance.

Trustee Walsh stated he would like an applicant to submit a plan on the location of the machines in an establishment before a license is granted.

Timothy Kyzivat, of Stonehearth Lane, asked who determines the company the establishment should work with for a State approved operator. Counsel Ramello stated that video gaming operators must be licensed and approved by the State which allows them to seek customers for the machines. A private transaction would take place between the operator and business owner who would enter into an agreement to lease the machines which are also regulated by the Illinois Gaming Board.

Mr. Kourmados, of Arrowhead Trail, asked if there would be an annual local review of any individuals that request a gaming license. Counsel Ramello stated once a gaming license is issued it would be renewed the same as a liquor license.

Chris Metz asked if the Board anticipates any problems if gaming regulations are established. Mayor Andrews stated he does not anticipate any problems and there

are only three business establishments that would qualify for a gaming license and two of those are closed in the early evening.

After further discussion, the Board decided to continue the discussions and further action to the next meeting regarding gaming regulations. Trustee Coleman moved, seconded by Trustee Bermier, to defer the gaming regulation ordinance to the June Board meeting for further discussion and a possible vote. Carried by unanimous voice vote (6/0/0).

(2) Water Bill Late Fees

Mayor Andrews stated based on input from the office there are several residents who are consistently late on paying their water bills. He noted that water bills are sent each quarter. A bill is generated and payment is due within 30 days of billing. At the end of the 30 days there is a 10% (of the original amount) late penalty added to the balance and a letter is mailed indicating that if payment is not received by 60 days an additional 10% penalty is added to the original amount due. If payment is not made by the end of that quarter and prior to the next billing cycle a letter is sent to the customer indicating service will be discontinued if payment is not made.

Mayor Andrews stated the office runs an aged trial balance which reflects any partial payments that may have been received as well as overdue accounts that have not made a payment. He added there is a lot of administrative work to reconcile the accounts. Once someone receives a shut-off notice for non-payment usually they will come in to pay the bill but other times a notice must be prepared and placed on the door that if payment is not received the water department will discontinue service. There is a \$50.00 fee charged for the water department to come out to turn the water back if the water is shut off for non-payment. Mayor Andrews noted that there is a fair amount of labor and administrative time spent following up with individuals that do not pay their water bills and the purpose of discussing this evening is to determine if the Board believes it necessary and proper to amend the fees charged for late water bill payments.

Mayor Andrews stated that at the point when the water department actually has to go out in the field to post a notice on the door, he suggested counsel prepare an ordinance that would allow the Village to charge \$25.00 for posting of the sign, at the point the water department is sent out to shut the water off, that would be a \$50.00 charge. Mayor Andrews stated that the intent is only trying to encourage people to pay their bills on time.

Mayor Andrews summarized previous aged trial balance runs. One quarter there were six people on the late list and of those six, five received a notice on the door and two had the water shut off. Another quarter there were eleven on the late list, five had a notice posted and two shut-offs. Another quarter there were twenty eight late notices, fourteen accounts had notices posted on the door and one customer had the water shut off.

Mayor Andrews suggested the Board review the costs involved with collecting on past due water accounts. Trustee Bermier asked if there is any consideration for a hardship case if someone has a medical issue and does not deliberately miss paying a bill.

Chief Alonzo stated that some residents were asking for late fees to be waived over a period of time and it was becoming a chronic problem but the Village cannot waive a penalty if it is not paid on time. Trustee Walsh stated that the late fees are nominal and if it happens only once it is not that much.

QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE

Timothy Kyzivat stated that the problem seems to be not the water shut offs but more and more people becoming delinquent on paying their bills. He added that maybe 10% is not enough of a penalty to deter someone from paying the bill on time. He suggested maybe the initial penalty could be increased.

Mrs. Metz stated maybe the second water penalty could be increased if it is not paid after the first penalty. She suggested if the water department has to go out more than once to turn the water off, the fee should increase.

Trustee Walsh stated that most people can forget the due date of the water bill for various reasons and that penalty should not be increased above 10%. Mayor Andrews agreed and suggested that the penalty be increased to an additional 15% after the second 30 days and each 30 day period thereafter that the bill remains unpaid.

Following this discussion, Mayor Andrews and the Board decided to direct Counsel to prepare an ordinance to amend the late fees for unpaid water bills as follows: if the bill is not paid within 30 days, a 10% (of the original amount) will be assessed; after the next 30 days period and each 30 days thereafter an additional 15% penalty would be added; if the bill remains unpaid and a final water shut-off notice is placed on the customer's door, there would be a \$25 charge in addition to

the other penalties; if the Public Works department is sent to turn off the water, there will be a \$50 charge for each time the Public Works employee goes to the site to discontinue the water service. Once the service is disconnected, there will be a \$50 charge to reconnect the service after all outstanding water service balances, penalties, and late fees are paid. Mayor Andrews stated that the Board will consider this at the next meeting in June.

EXECUTIVE SESSION

Trustee Coleman moved, seconded by Trustee Schnaufer, to adjourn to Executive Session pursuant to 5 ILCS 120/2 (c) (1) to discuss the appointment, employment, compensation, discipline, performance or dismissal of specific employees, 5 ILCS 120/c (c) (2) to discuss collective negotiation matters regarding certain employees and 5 ILCS 120/2 (c) (11) regarding probable or imminent litigation. Carried by unanimous roll call vote (6/0/0).

Ayes: Trustees: Anselmo, Bailey, Bermier, Coleman, Schnaufer, Walsh

Nays: None

Absent: None

RETURN TO THE OPEN MEETING

There being no further business to discuss in executive session, Trustee Bailey moved, seconded by Trustee Schnaufer, to return to the regular Board meeting. Carried by unanimous voice vote (6/0/0).

ADJOURNMENT

There being no further business to discuss, Trustee Coleman moved, seconded by Trustee Bailey, to adjourn the regular Board meeting at 9:45 p.m. Carried by unanimous voice vote (6/0/0).

Respectfully submitted,

Kathy Leach, Deputy Village Clerk/Recording Secretary